



1 amended complaint) do not meet the relevant pleading standards, and hereby DISMISSES  
2 them with leave to amend.

3 While plaintiff did not oppose the motion, she did file an amended complaint, styled  
4 as the “second amended complaint,” on March 5, 2013 (i.e., the day before the scheduled  
5 hearing on the County defendants’ motion). Plaintiff was not entitled to file this second  
6 amended complaint under the federal rules, which allow a party to “amend its pleading  
7 once as a matter of course.” Fed. R. Civ. P. 15(a)(1) (emphasis added). Plaintiff had  
8 already filed a first amended complaint (which was the subject of this motion) on January  
9 23, 2013. Thus, the second amended complaint (Dkt. 16) is hereby STRICKEN.

10 Plaintiff may file an amended complaint (which shall be styled as the “revised  
11 second amended complaint”) in accordance with this order by **April 3, 2013**. No new  
12 claims or parties may be added without leave of court or agreement of the parties.  
13 Defendants shall have until **April 24, 2013** to answer or otherwise respond to the  
14 complaint. Plaintiff is further cautioned that, if she wishes to assert section 1983 claims  
15 against the County or its employees, she must comply with the relevant pleading standards  
16 for those claims. She may not simply include those defendants as “Doe” defendants in an  
17 effort to evade the applicable pleading standards.

18 **IT IS SO ORDERED.**

19 Dated: March 6, 2013



20 **PHYLLIS J. HAMILTON**  
21 United States District Judge

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